

STATE OF MAINE  
PUBLIC UTILITIES COMMISSION

Docket No. 98-938

February 2, 1999

CENTRAL MAINE POWER COMPANY  
Revision to Term and Condition  
to Provide Basic Information to  
Competitive Electricity Providers  
and to Establish a Charge for  
Providing Nonstandard Data

ORDER APPROVING  
REVISION TO TERM  
and CONDITION

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WELCH, Chairman; NUGENT, and DIAMOND Commissioners

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**I. SUMMARY**

In this Order, we approve CMP's term and condition § 18.13 (Charge for Furnishing Billing, Payment and Usage Records) as revised on January 25, 1999. We find that the revised term and condition establishes a reasonable method for providing information to customers and third parties seeking individual and aggregated customer information.

**II. BACKGROUND AND DECISION**

On November 25, 1998, CMP filed a revision to its Term and Condition § 18.13. The purpose of the change according to CMP is:

- a) to facilitate competition by providing basic information in a standard form to competitive electricity providers free of charge, and b) to establish a charge for providing aggregated data or nonstandard formatting of customer data so that the related costs will be paid by the entities which request such special services.

CMP reports that potential competitive electricity providers and aggregators are seeking to obtain customer-specific historical customer usage and billing information and customized reporting and formatting of the data for groups of customers. As a result, CMP has experienced a significant increase in the number of requests for customer information.

CMP views the revised term and condition as an interim provision; once CMP implements an electronic system for providing customer usage and billing records to competitive providers as part of the Electronic Billing Transaction (EBT) system, CMP expects to revise the term to provide for the electronic provision of customer information to competitive providers.

On December 10, 1998, the Commission Staff (Staff) issued a Request for Comments in which it invited interested persons to comment on CMP's proposed term and condition and asked CMP for additional information about or clarification of the proposed term and condition. On January 5, 1999, CMP responded to the staff questions, and on January 11, 1999 CMP, BHE and Commission Staff participated in a technical conference. As a result of the conference, CMP made certain revisions to the proposed term and condition.

Specifically, CMP proposes to (1) add a provision that requesting parties may be asked to provide account numbers when requesting information for multiple accounts; (2) specify the information that will be provided free of charge for the previous 13-month period; (3) reduce the period of time for material to be provided free of charge from the previous 24 months to the previous 13 months; (4) establish an hourly charge for the provision of aggregated information for groups of customer, for providing information in a nonstandard format specified by the requester, or for providing data not otherwise listed in Section B of the term and condition and (5) establish that information requested will be provided within a reasonable period of time. We discuss these proposed changes below.

A. Requiring the Provision of Account Numbers

CMP states that requiring the account number will ensure that for customers such as municipalities that have multiple accounts, CMP provides information for the correct group of accounts. We find that this requirement does not impose any significant burden on competitive providers, other third parties, or customers. A competitive provider can obtain the customer(s) account number when it obtains the customer's authorization for obtaining his or her billing and usage data. We also find an added benefit in this requirement in that it will help to ensure that only authorized requests for such information are being made by third parties.

B. Standard Information

The term and condition lists the standard items of customer billing and usage information which will be provided free of charge for the previous 13 months to any individual or entity that has a right to such information. We conclude that this list contains at least the minimum information needed by competitive suppliers and aggregators to determine the level and type of supply purchase that the customer or group would likely make in the open market. We also conclude that this list

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contains information typically requested by customers or by agencies on behalf of customers.

C. Previous 13 Months of Information at No Charge

The proposed revision to section 18.13 reduces from 24 to 13 months the historical period for which a customer or third party can get customer specific usage and billing data at no charge. CMP represents that competitive suppliers participating in the EBT group have indicated that 13 months is sufficient, and that the EBT systems that have been established in other states, and that is being developed in Maine to provide data electronically to competitive providers, all provide 12 or 13 months of data. CMP also represented at the technical conference that very few individual customers ever requested 24 months of data. Because the 13-month period appears to be the emerging standard for providing customer specific usage and billing data, we find that the proposed revision to this term is reasonable. We also note that the proposed term complies with the Chapter 81 requirement that the utility provide a minimum of 13 months of customer usage information at the customer's request. The charge for standard information extending beyond the 13 months before the date of the request is \$15.00 for each 12-month period or \$1.25 for each individual month period. In the current term and condition, these rates apply to requests for customer information extending beyond a 24-month period from the date of the request.

The proposed term and condition specifically exempts from charges records provided to the Commission or records provided to a customer in response to a dispute. Although the proposed term does not explicitly exempt records required to be provided to social service agencies, such as Community Assistance Program (CAP) agencies, we believe such agencies generally would not need information outside of the time frame and scope of information that would be provided free of charge under the proposed term and condition. To the extent that CMP is required by law or regulation to provide information to such social service agencies, we expect it to provide this information free of charge even if the request is for nonstandard information or is for an historical period that exceeds 13 months from the date of the request.

C. Charge for Aggregated Information or Information Provided in a Nonstandard Format

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The proposed term and condition provides for a \$50.00 per hour charge for providing: (1) aggregated information for groups of customers, (2) information in a nonstandard format specified by the requester, or (3) data not listed in Section B of the term and condition. CMP states that it has based this charge on the hourly rate and overhead of the employees it expects will be providing this information.

E. Information to be Provided within a Reasonable Period of Time

The revised term and condition proposes that the information under this section be provided within a reasonable period of time. CMP has given some indication of the time frames within which such material ordinarily would be supplied:

At present requests for information on a single account are normally fulfilled within one business day, and requests for information on multiple accounts are normally fulfilled within five business days after receipt of the necessary account information and customer authorizations (if the recipient requires paper copies of large requests instead of electronic transmittal, the time frame may be longer). These time frames could change if volume increases dramatically, but recent experience has been that turnaround times are improving as the process is refined.

We view the current time frames as reasonable. If there is a dispute in the future about whether CMP is providing the information within a reasonable period of time, we will adjudicate the matter based on the facts and circumstances of the case. We recognize, however, that unusually lengthy requests or those containing errors or omissions may increase the response time. Thus, we would look at the complexity of the information requested, the need for the information, the volume of information requests and the company's efforts to respond to similar requests. CMP has stated its intent to keep a log of requests for information and its time for responding. This information will be relevant if a dispute arises over whether CMP is providing material within a reasonable period of time.

Accordingly, we

O R D E R

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1. That Central Maine Power Company's revised term and condition § 18.13, filed on January 25, 1999, shall become effective on February 8, 1999.

Dated at Augusta, Maine this 2nd day of February, 1999.

BY ORDER OF THE COMMISSION

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Dennis L. Keschl  
Administrative Director

COMMISSIONERS VOTING FOR:      Welch  
   Nugent  
   Diamond

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NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320 (1)-(4) and the Maine Rules of Civil Procedure, Rule 73 et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320 (5).

Note:The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.